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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 17, 2001

PETITION OF

ROANOKE GAS COMPANY

and

COMMONWEALTH PUBLIC SERVICE
CORPORATION

CASE NO. PUE010535

To waive requirement
to file Annual Informational
Filings

ORDER GRANTING REQUEST FOR WAIVER

On October 2, 2001, Roanoke Gas Company ("Roanoke" or "RGC") and Commonwealth Public Service Corporation ("CPSC" or "Commonwealth") (hereinafter collectively referred to as "the Petitioners" or "the Companies") filed a letter with the Clerk of the State Corporation Commission ("Commission") requesting that the Commission waive the requirement that the petitioners file Annual Informational Filings ("AIFs"), using as their test periods the twelve months ended September 30, 2001. Such filings would ordinarily be due on January 28, 2002.

In support of their request, the Petitioners maintain that they will file a consolidating general rate case for Commonwealth and Roanoke based on a new test period ended

March 31, 2002, with new rates to be effective December 1, 2002. Such a general rate application is anticipated to be made one hundred and fifty days before the proposed December 1, 2002 effective date, or on or around the first week in July, 2002. The Companies explain that, as a result of filing rate cases based on the twelve months ended March 31, 2002, AIFs using the twelve months ended September 30, 2001, as their test periods would overlap the data anticipated to be employed in the consolidated rate application by six months and would "provide data that would be superceded by the subsequent rate cases." According to the Petitioners, provision of timely and useful data to the Commission and its Staff without creating overlapping filings and related Company and Staff work requirements support its request. The Companies represent that they will file the earnings tests required by the stipulated agreements accepted in Case No. PUE980626¹ and Case No. PUE990438,² for the twelve months ended September 30, 2001, and September 30, 2002, for both Companies. The Companies state that the Staff does not object to their request for a waiver.

¹ Application of Roanoke Gas Company, For general increase in rates and to revise its tariff, Case No. PUE980626, 1999 S.C.C. Ann. Rept. 440, 442, (hereinafter referred to as "Case No. PUE980626").

² Application of Commonwealth Public Service Corporation, For a general increase in rates and revision in tariffs, Case No. PUE990438, 1999 S.C.C. Ann. Rept. 504, 505 (hereinafter referred to as "Case No. PUE990438").

NOW, UPON consideration of the Companies' request, the Commission is of the opinion and finds that the Companies' October 2, 2001 letter should be treated as a Petition for a waiver of 20 VAC 5-200-30 A 9 of the Rules Governing Utility Rate Increase Applications and Annual Informational Filings, requiring the filing of an AIF; that this matter should be docketed; that consistent with their representations, the Companies should be required to file earnings tests for the twelve months ended September 30, 2001, and September 30, 2002, for both Roanoke and Commonwealth; and that good cause having been shown, this waiver should be granted. We further find that in the event the Companies determine not to file a consolidated rate application on or around July 5, 2002, they should file their AIFs for the twelve months ending September 30, 2001, by no later than July 5, 2002; that the waiver granted herein does not relieve the Companies of their obligation to file the reports on their Distribution System Renewal Surcharge ("DSR Surcharge") required as part of the Stipulations accepted in Case No. PUE980626 and Case No. PUE990438; and that this matter should remain open to receive the earnings test filings required in Case Nos. PUE980626 and PUE990438.

Accordingly, IT IS ORDERED THAT:

(1) This matter shall be docketed and assigned Case No. PUE010535.

(2) The Companies shall file with the Clerk of the Commission an earnings test for RGC and CPSC the twelve months ended September 30, 2001, on or before January 28, 2002.

(3) The Companies shall file their earnings test for RGC and CPSC the twelve months ended September 30, 2002, on or before December 3, 2002.

(4) The Companies' request for waiver is hereby granted.

(5) In accordance with their representations, the Petitioners shall file their consolidating general rate application on or around July 5, 2002.

(6) In the event the Petitioners do not file a general rate application based on the test period ended March 31, 2002, by July 5, 2002, they shall each file an AIF using as its test period the twelve months September 30, 2001, by no later than July 5, 2002.

(7) The waiver granted herein shall not relieve the Companies from the reporting requirements set out in Case Nos. PUE980626 and PUE990438, relating to their respective DSR Surcharges.

(8) This docket shall remain open to receive the earnings tests filings required herein.